

McKool Smith

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March 13, 2025

By ECF

The Honorable Gabriel W. Gorenstein
United States Magistrate Judge
Southern District of New York
500 Pearl Street, Courtroom 6B
New York, New York 10007-1312

MEMORANDUM ENDORSED

Re: Marc Restellini v. The Wildenstein Plattner Institute, Inc. et al
20 Civ. 4388 (AT) (GWG)

Dear Judge Gorenstein:

We write on behalf of Plaintiff Marc Restellini.

The parties have previously provided various updates regarding their settlement discussions and the Court initially stayed and then continued the stay of various litigation-related deadlines. The most recent stay expires on March 15, 2025. *See* ECF No. 177, 179, 181, 183, 185, 187, 189, 191, 193, 195.

Over the past months, the parties have expended significant resources to resolve this litigation and are very close to doing so. They have attended multiple all-day mediation sessions and exchanged at least a dozen drafts of a settlement agreement. At this point, the parties are working closely and productively with a mediator and have reached agreement on substantially all major terms.

The Court will recall that the materials at issue in this litigation consist of a large repository of paper and electronic documents, which are divisible into several categories. Documenting the manner in which those materials will be treated going forward in the settlement agreement has made the resolution of the parties' dispute, and reducing this resolution to writing, complicated and time-consuming. Restellini is of the view that the length of time that finalizing the settlement has taken is not due to inordinate delay or bad faith by any party.

Based on the foregoing, Restellini requests that the Court continue the stay until April 30, 2025, to permit the parties to finalize their settlement agreement. Restellini does not anticipate seeking any further extensions beyond that date.

Based on our communications with Defendants' counsel, I can represent that Defendants agree to a 2-week extension only because "Defendants believe the settlement time has already taken too long" and "do not concur that an additional six weeks is warranted."

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Restellini submits that 6-week extension is appropriate. Given the prior history of negotiations, several weeks may be necessary to finalize the settlement agreement. In addition, the mediator employed by the party has recently taken ill, which has occasioned some delay in his ability to facilitate further discussions between the parties.

Respectfully submitted,


McKool Smith P.C.

/s/ Daniel W. Levy

By: Daniel W. Levy
Eliza Beeney

Extension of the stay of deadlines through and including April 30 2025, is granted. The parties shall report on the status of settlement by letter filed on or before April 30, 2025.

So Ordered.



GABRIEL W. GORENSTEIN
United States Magistrate Judge

March 14, 2025